

ORIGINAL

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

UNITED STATES DISTRICT COURT

for the

Central District of California

CIVIL Division

JOHN RYAN

~~dba / aka CALINSURED INSURANCE SERVICES~~ *ms***ED CV17-01560 JGB**

Case No.

(to be filled in by the Clerk's Office)

*Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

BRE THRONE PLAZA RIO VISTA LLC ;
BRIXMORE PROPERTY GROUP,
and DOES 1 TO 50, Inclusive*Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)***COMPLAINT AND REQUEST FOR INJUNCTION****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	JOHN RYAN aka CALINSURED INSURANCE SERVICES <i>ms</i>
Street Address	7606 Shafter
City and County	Yucca Valley, San Bernardino County
State and Zip Code	CA 92284
Telephone Number	760-974-9368
E-mail Address	N/A

B. The Defendant(s)Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	BRE THRONE PLAZA RIO VISTA LLC
Job or Title <i>(if known)</i>	N/A
Street Address	C/O Brixmore Property Group, 450 Lexington Ave., 13th Floor
City and County	New York, borough of Manhattan
State and Zip Code	New York, NY 10017
Telephone Number	N/A
E-mail Address <i>(if known)</i>	N/A

Defendant No. 2

Name	BRIXMORE PROPERTY GROUP
Job or Title <i>(if known)</i>	N/A
Street Address	450 Lexington Ave., 13th Floor
City and County	New York, borough of Manhattan
State and Zip Code	New York, 10017
Telephone Number	N/A
E-mail Address <i>(if known)</i>	N/A

Defendant No. 3

Name	N/A
Job or Title <i>(if known)</i>	N/A
Street Address	N/A
City and County	N/A
State and Zip Code	N/A
Telephone Number	N/A
E-mail Address <i>(if known)</i>	N/A

Defendant No. 4

Name	N/A
Job or Title <i>(if known)</i>	N/A
Street Address	N/A
City and County	N/A
State and Zip Code	N/A
Telephone Number	N/A
E-mail Address <i>(if known)</i>	N/A

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question ☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) John Ryan aka Calinsured Insurance Services, is a citizen of the State of (name) CA.

b. If the plaintiff is a corporation

The plaintiff, (name) N/A, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) N/A, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) BRE THRONE PLAZA RIO VISTA LLC, is incorporated under the laws of the State of (name) NEW YORK, and has its principal place of business in the State of (name) NEW YORK.
 Or is incorporated under the laws of (foreign nation) N/A, and has its principal place of business in (name) N/A.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

PER 28 USC, 1331-1446, INCLUDING, BUT NOT LIMITED TO, INDIVIDUAL CIVIL RIGHTS PERTAINING TO THE CONSTITUTION OF THE UNITED STATES, FEDERAL JURISDICTION IS APPLICABLE AND JUSTIFIED AS THE AMOUNT IN CONTROVERSY EXCEEDS \$75,000. SAID AMOUNT IS DETERMINED TO BE \$995,000.00

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

50701 WASHINGTON STREET, # 511, LA QUINTA, CA 92263

B. What date and approximate time did the events giving rise to your claim(s) occur?

These events have especially taken place within the past few years, following the crises and debacles stemming from the Mortgage Meltdown disaster circa 2010. Causes(s) of action exist from misrepresentation(s), negligence, and fraudulent activities directly derived from, but not limited to, the RECITALS and TERMS of landlord / tenant agreement(s) as per original lease and first amendment lease provisions.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Plaintiff's Denial of Right to Due Process and constitutional rights per improper landlord / tenant procedures, both servicing or through an independent broker /realtor, and otherwise, and including, but not limited to, the RECITALS and TERMS of landlord / tenant agreement(s) as per original lease and first amendment lease provisions.

This action cites: Fraud, Negligence, and Misrepresentation attributed to Defendants' multiple violations of ignoring proper landlord / tenant procedures.

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

Defendants' claim estate or interest in the real property described in this Complaint adverse to that of Plaintiff, regarding Plaintiff's Denial of Right to Due Process and constitutional rights per improper landlord / tenant procedures, both servicing or through an independent broker /realtor, and otherwise, and including, but not limited to, the RECITALS and TERMS of landlord / tenant agreement(s) as per original lease and first amendment lease provisions. Defendants' claims are without any merit. Later compensation therefore is moot, and will only injure plaintiff further.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff realleges, and incorporates by reference, all preceeding allegations implemented in this Complaint as fully set forth herein. Defendants' claim estate or interest in the real property described in this Complaint adverse to that of Plaintiff, regarding Plaintiff's Denial of Right to Due Process and constitutional rights per improper landlord / tenant procedures, both servicing or through an independent broker /realtor, and otherwise, and including, but not limited to, the RECITALS and TERMS of landlord / tenant agreement(s) as per original lease and first amendment lease provisions. Defendants' claims are without any merit.

Accordingly, Plaintiff also seeks monetary and punitive damages in the amount of \$ 995,000.00.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.


A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 07/31/2017

Signature of Plaintiff

Printed Name of Plaintiff

JOHN RYAN aka CALINSURED INSURANCE SERVICES  

B. For Attorneys

Date of signing: _____

Signature of Attorney

N/A

Printed Name of Attorney

N/A

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address